

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francis X. Smith Art Unit: 1615
Serial No.: 10/544,154 Examiner: Carlos A. Azpuru
Filing Date: August 5, 2005
Title: **L-HISTIDINE IN OPHTHALMIC SOLUTIONS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. § 1.97, Applicants and their legal representatives hereby make of record the references on attached Form PTO-1449 which are known by them and considered warranting disclosure under 37 C.F.R. § 1.56. The best available copies of all the foreign references cited are submitted herewith.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

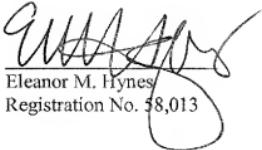
Applicants and their legal representatives believe this submission is being presented before the Examiner issued an office action on the merits and therefore, no fee is due for this submission. However, the Commissioner is authorized to charge any deficiencies or credit any excess payments to our Deposit Account No. 50-3010.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

HISCOCK & BARCLAY, LLP

05/24/07
Date


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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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Sheet

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of

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Complete If Known

Application Number	10/544,154
Filing Date	August 1, 2005
First Named Inventor	Francis X. Smith
Art Unit	1615
Examiner Name	Carlos A. Azpuru
Attorney Docket Number	3009099 US01

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number - Kind Code ² (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
1	US - 3,429,576		02-25-1969	Yoshiaki Ikeda	
2	US - 3,910,296		10-07-1975	Karageozian et al.	
3	US - 3,943,251		03-09-1976	Medow et al.	
4	US - 4,022,834		05-10-1977	Gundersen	
5	US - 4,046,706		09-06-1977	Krezanowski	
6	US - 4,136,173		01-23-1979	Pramoda et al.	
7	US - 4,136,176		01-23-1979	Rideout et al.	
8	US - 4,136,534		01-30-1979	Villa	
9	US - 4,209,817		06-24-1980	McGrinnis	
10	US - 4,361,458		11-30-1982	Grajek et al.	
11	US - 4,361,549		11-30-1982	Kung et al.	
12	US - 4,394,381		07-19-1983	Sherrill	
13	US - 4,439,417		09-27-1985	Matsunaga et al.	
14	US - 4,520,346		06-26-1985	Stark	
15	US - 4,599,360		07-06-1986	Fukami et al.	
16	US - 4,748,189		05-31-1988	Su et al.	
17	US - 4,783,488		11-06-1988	Ogundiyi et al.	
18	US - 4,820,352		04-11-1989	Reinhardtner et al.	
19	US - 4,826,579		05-02-1989	Yamamoto et al.	
20	US - Re. 32,672		05-24-1988	Huth et al.	

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†
		Country Code ³ - Number ⁴ - Kind Code ⁵ (If Known)				
21		GB 1,398,058	03-15-1973	Pharmaceutisk		
22		JP 58010517 A	01-21-1983	Santen Pharmaceutical		
23		WO 91/01763	02-21-1991	Schering Corp.		
24		WO 92/04905	04-02-1992	Abraham et al.		
25		WO 92/11876	07-23-1992	Schering Corp.		
26		WO 92/21049	11-26-1992	Allergan, Inc.		
27		WO 94/00160	01-06-1994	Allergan, Inc.		
28		WO 95/00176	01-06-1995	Allergan, Inc.		
29		WO 96/06603	03-07-1996	Alcon Laboratories		

Examiner Signature

Date Considered

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Sheet

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Complete if Known	
Application Number	10/544,154
Filing Date	August 1, 2005
First Named Inventor	Francis X. Smith
Art Unit	1615
Examiner Name	Carlos A. Azpuru
Attorney Docket Number	3009099 US01

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		Number - Kind Code ² (if known)			
30	US- 4,836,986		06-05-1989	Ogunbiyi et al.	
31	US- 4,891,423		01-02-1990	Stockel	
32	US- 4,864,454		01-16-1990	Paradies	
33	US- 4,988,710		01-29-1991	Olney	
34	US- 4,997,626		03-05-1991	Dziabko et al.	
35	US- 5,030,721		07-09-1991	Kesai et al.	
36	US- 5,078,908		01-07-1992	Ripley et al.	
37	US- 5,089,261		02-16-1992	Nitecki et al.	
38	US- 5,122,354		06-16-1992	Esui et al.	
39	US 5,174,872		12-29-1992	Scott	
40	US- 5,175,161		12-29-1992	Yokoyama et al.	
41	US- 5,182,256		01-26-1993	Chou	
42	US- 5,192,535		05-09-1993	Davis et al.	
43	US- 5,279,673		01-18-1994	Dziabko et al.	
44	US- 5,300,296		04-05-1994	Holly et al.	
45	US- 5,306,440		04-26-1994	Ripley et al.	
46	US- 5,361,287		11-01-1994	Williamson	
47	US- 5,380,503		01-10-1995	Holly et al.	
48	US- 5,439,572		06-08-1995	Perkow	
49	US- 5,449,658		09-12-1995	Unhoch et al.	

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM/DD/YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ⁴ - Number ⁴ - Kind Code ⁵ (if known)				
50		WO 97/34834	09-26-1997	Bio-Lab, Inc.		
51		WO 97/41215	11-06-1997	Novo Nordisk A/S		
52		EP 0 812 592 A1	12-17-1997	Kikkoman Corp.		
53		JP 10-108859	04-28-1998	Tomco Technol Corp		T
54		RU 2127100	03-10-1999	Borzenko et al.		T
55		WO 99/23957	05-20-1999	Novo Nordisk A/S		
56		WO 99/57295	07-29-1999	Devilez et al.		
57		JP 2000016065 A	01-16-2000	Mitsubishi Gas		
58		WO 00/07634	02-17-2000	NDT, Inc.		

Examiner Signature	Date Considered

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known	
Aplication Number	10/544,154
Filing Date	August 1, 2005
First Named Inventor	Francis X. Smith
Art Unit	1615
Examiner Name	Carlos A. Azpuru
Attorney Docket Number	3009099 US01

U.S. PATENT DOCUMENTS

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No. *	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number	Kind Code* (if known)			
	50	US- 5,494,937	02-27-1996	Asgharian et al.		
	60	US- 5,547,990	08-20-1996	Haller et al.		
	61	US- 5,591,773	01-07-1997	Grunberger et al.		
	62	US- 5,607,681	03-04-1997	Galley et al.		
	63	US- 5,624,958	04-29-1997	Isaacs et al.		
	64	US- 5,661,130	08-26-1997	Meezan et al.		
	65	US- 5,674,450	10-07-1997	Lin et al.		
	66	US- 5,691,379	11-25-1997	Ulrich et al.		
	67	US- 5,718,895	02-17-1998	Asgharian et al.		
	68	US- 5,719,110	02-17-1998	Cock		
	69	US- 5,770,562	06-23-1998	von Borstel et al.		
	70	US- 5,780,450	07-14-1998	Shade		
	71	US- 5,807,585	09-15-1998	Martin et al.		
	72	US- 5,869,468	02-09-1999	Freeman		
	73	US- 5,885,950	03-30-1999	Potini et al.		
	74	US- 5,891,733	04-06-1999	Inoue		
	75	US- 5,926,371	07-20-1999	Ishiwatari		
	76	US- 5,942,218	08-24-1999	Kirschner et al.		
	77	US- 5,948,446	08-31-1999	Leub		
	78	US- 5,925,320	09-14-1999	Davidsen et al.		

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⁴EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ⁵Applicant's attorney citation designation number (optional). ⁶Six Kinda Cudes of USPTO Patent Documents at [www.uspto.gov/or/eppc/ST.1](http://uspto.gov/or/eppc/ST.1) ⁷Enter Office that issued the document, by the two-letter code (WIPO Standard ST.1). ⁸For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁹Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.1. If possible ¹⁰Applicant is to place a check mark here if English language Translation is attached.

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First Named Inventor	Francis X. Smith
Art Unit	1615
Examiner Name	Carlos A. Azpuru
Attorney Docket Number	30090999 US01

U.S. PATENT DOCUMENTS

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Examiner Initials *	Case No. *	Document Number Number - Kind Code ³ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	81	US-6,965,736	10-12-1999	Akhavan-Tafti	
	82	US-6,968,904	10-18-1999	Julian et al.	
	83	US-6,001,605	12-14-1999	Jaynes et al.	
	84	US-6,056,920	05-02-2000	Lepre	
	85	US-6,117,569	09-12-2000	Picard et al.	
	86	US-6,121,327	09-19-2000	Tsuzuki et al.	
	87	US-6,126,706	10-03-2000	Matsuimoto et al.	
	88	US-6,129,846	10-31-2000	Asghanian et al.	
	89	US-6,156,563	11-28-2000	Smith et al.	
	90	US-6,162,393	12-19-2000	De Brujin et al.	
	91	US-6,191,110 B1	02-20-2001	Jaynes et al.	
	92	US-6,309,596 B1	10-30-2001	Xia et al.	
	93	US-6,309,658 B1	10-30-2001	Xia et al.	
	94	US-6,432,893 B1	08-13-2002	Dox et al.	
	95	US-6,617,791 B1	09-09-2003	Smith	
	96	US-6,624,703 B1	09-23-2003	Smith	
	97	US-2003-0190255 A1	10-09-2003	Smith	
	98	US-2005-0042196 A1	02-24-2005	Smith et al.	
		US-			
		US-			

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Page 10

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Filing Date	August 1, 2005
First Named Inventor	Francis X. Smith
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Attorney Docket Number	3009099 US01

NON-PATENT LITERATURE DOCUMENTS

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